

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

MIGUEL A. AROSTICA, et al.)	
)	
Plaintiff,)	Case No. 22-cv-81461-WM
v.)	
)	
GOLD COAST FEED, LLC, and)	
WEP RETAIL HOLDINGS, LLC,)	
)	
Defendants.)	
)	

**JOINT MOTION TO APPROVE SETTLEMENT AGREEMENT AND FOR
DISMISSAL WITH PREJUDICE**

The parties, Plaintiffs MIGUEL A. AROSTICA, YANSEY B. CAMELLON, YANDIERT GRILLO, ROBERTO MENDEZ, LAZARO POZO, LICIER J. VELASQUEZ, FRANK BARO, FREIDY BARO, WILLIAM MARTINEZ by Defendant during MIGUEL A. AROSTICA, YANSEY B. CAMELLON, YANDIERT GRILLO, ROBERTO MENDEZ, LAZARO POZO, LICIER J. VELASQUEZ, FRANK BARO, FREIDY BARO, WILLIAM MARTINEZ (collectively “Plaintiffs”) and Defendants GOLD COAST FEED, LLC, and WEP RETAIL HOLDINGS, LLC (collectively “Defendants”) by and through their respective undersigned counsel, hereby jointly request that this Court approve their settlement agreement and dismiss this matter with prejudice and state as follows:

On or about September 21, 2022, Plaintiffs Arostica, Camellon, Grillo, Mendez, Pozo, and Velasquez initiated this lawsuit alleging overtime violations under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. §§ 201, et seq., as to all Plaintiffs, and retaliation claims under the FLSA as to Plaintiffs Arostica, Camellon, Mendez, and Velasquez. On or about October 21, 2022, Plaintiffs Freidy Baro, Frank Baro and Martinez opted-in to the lawsuit, alleging overtime violations under

the FLSA, and retaliation claims under the FLSA as to Plaintiffs Baro and Baro. The Defendants deny all of the allegations made.

Pursuant to Lynn's Food Stores, Inc. v. U.S., 679 F.2d 1350 (11th Cir. 1982), claims arising under the FLSA may be settled only with the approval of the Court or Secretary of Labor. The Parties stipulate that the negotiated settlement reached between the Parties represents a "fair" resolution of the Plaintiffs' FLSA related claims, as well as Plaintiffs' reasonable attorneys' fees and costs. The Parties also stipulate that the settlement reached between them advances judicial economy.

The Parties further stipulate to the dismissal, with prejudice, of this action of all claims asserted by these Plaintiffs, upon approval by the Court as requested above with each party to bear its own attorneys' fees and costs. The Parties further request that this Court retain jurisdiction to enforce the Settlement Agreement entered into by and between the Parties. The terms of the settlement are set forth in detail in the Settlement Agreement executed by the Parties, and a copy has been emailed to Chambers for review.

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

WE HEREBY CERTIFY that, pursuant to S.D. Fla. L. R. 7.1, the undersigned have conferred concerning this matter and that counsel for both parties agree to file this Joint Motion.

Zandro E. Palma, Esq. The Law Offices of Zandro E. Palma PA 9100 S. Dadeland Blvd, Suite 1500, Miami, Florida, 33156 Telephone: 305-446-1500 Fax: 305-446-1502 By: <u>/s/ Zandro E. Palma</u> Zandro E. Palma, Esq. Florida Bar No.: 24031	Daniel S. Rosenbaum, Esq. Lillian R. Sharpe, Esq. Rosenbaum PLLC 250 Australian Avenue S., 5th Floor West Palm Beach, FL 33401 Telephone: 561-653-2900 Fax: 561-820-2542 By: <u>/s/ Daniel S. Rosenbaum</u> Daniel S. Rosenbaum, Esq. Florida Bar No.: 306037
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via CM/ECF on February 9, 2023 to: **Edilberto O. Marban, Esq.**, Law Offices of Eddy Marban, 2655 S. Le Jeune Road, Suite 804, Coral Gables, FL 33134 (em@eddyanmarbanlaw.com; ea@eddyanmarbanlaw.com; assistant@eddyanmarbanlaw.com); and **Zandro E. Palma, Esq.**, The Law Offices of Zandro E. Palma, 9100 S. Dadeland Blvd., Suite 1500, Miami, FL 33156 (zep@thepalmaalawgroup.com; ams@thepalmaalawgroup.com; dsosa@thepalmaalawgroup.com; jfp@thepalmaalawgroup.com; svelez@thepalmaalawgroup.com; 8601636420@filings.docketbird.com).

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